

REMARKS/ARGUMENTS

Applicant respectfully requests reconsideration of the pending claims in view of the above amendments and the following remarks.

Claim 2 was canceled. Claim 1 was amended. Claims 1 and 3 are now pending. No new matter has been inserted. Support for the amendment to claim 1 can be found in claim 2 and in the specification at least at page 6, lines 2-3.

As an initial matter, Applicant notes that the specification has been amended so as to include reference to those applications from which priority is claimed.

Written Description

Claims 1-3 were rejected under 35 U.S.C. § 112, first paragraph, for the written description requirement. Applicant respectfully traverses this rejection.

First, the Examiner states that the claims encompass all naturally occurring variant forms of the Q2 protein and therefore the claims do not meet the written description requirement. Second, the Examiner states that the genus of animal β -amyloid 1-42 as claimed does not meet the written description requirement.

While not conceding the correctness of Examiner's position, the Applicant has amended claim 1 in order to render this rejection moot. First, the Applicant has removed the term Q2 from claim 1 and inserted the terms ERp57 or GRp58. ERp57 and GRp58 are terms well understood to refer to specific proteins with specific sequences. By way of example, the Examiner is invited to view the information available for protein reference number NP_005304 on the NCBI Entrez website (<http://www.ncbi.nlm.nih.gov/entrez/query.fcgi>). Second, the Applicant has removed the term native β -amyloid from claim 1 and inserted the terms human β -amyloid 1-42 or human β -amyloid 1-38, both of which are well understood to refer to specific proteins with specific sequences. Human β -amyloid 1-42 refers to a peptide of 42 amino acids in length. Human β -amyloid 1-38 refers to a peptide of 38 amino acids in length. As claim 1 is now directed to specific proteins with specific sequences, Applicant asserts that the written description requirement has been met for claim 1. As claim 3 is dependent on claim 1, the written description requirement has also been met for claim 3.

Therefore, Applicant respectfully requests that this rejection be withdrawn.

Enablement

Claims 1-3 were rejected under 35 U.S.C. § 112, first paragraph, for enablement. Applicant respectfully traverses this rejection.

The Examiner rejected the claims as not enabled but concedes that the specification is enabling for claims limited to structurally definable chaperone Q2 and β -amyloid. While not conceding the correctness of Examiner's position, the Applicant has amended claim 1 in order to render this rejection moot.


First, the Applicant has removed the term Q2 from claim 1 and inserted the terms ERp57 or GRp58. Second, the Applicant has removed the term native β -amyloid from claim 1 and inserted the terms human β -amyloid 1-42 or human β -amyloid 1-38. Therefore, Applicant asserts that claim 1 is now enabled at least because claim 1 is now limited to structurally definable proteins. As claim 3 is dependent on claim 1, claim 3 is also enabled. Applicant respectfully requests that this rejection be withdrawn.

In light of the foregoing Amendment and Remarks, Applicant asserts the claims are in condition for allowance. Removal of all rejections and early notice of allowable claims is requested.

The Examiner is invited to telephone the undersigned attorney for clarification of any of these remarks or amendments, or to otherwise speed prosecution of this case.

Respectfully submitted,
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